

PTO/SB/31 (02-01)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)
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on January 28, 2004

Signature

Lana B. EkissTyped or printed
nameLana B. EkissIn re Application of
Larry D. PaskarApplication Number
09/931,466Filed
August 16, 2001For
Catheter with Out-of-Plane ConfigurationsGroup Art Unit
3762Examiner
M. BockelmanApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner, office action dated 11/6/03, rejecting Claims 10-16, 19-22, 24, 26, 28-29, and 31-34.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:\$ 165.00☐ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-3460. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).☒ attorney or agent of record.☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a) _____Gregory E. Upchurch
SignatureGregory E. Upchurch, #28,482
Typed or printed name1/28/04
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

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TO: Examiner M. Bockelman, USPTO

FAX RECEIVED

FAX NO.: 703 306-4520

JAN 29 2004

FROM: Gregory E. Upchurch

GROUP 3700

DATE: January 28, 2004

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 2

MESSAGE:

RE: Application No. 09/931,466

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OPERATOR: Lana Ekiss

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